

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF
TENNESSEE NASHVILLE DIVISION**

RIVAL TRANSPORT, LLC

Plaintiff,

v.

WESTERN EXPRESS, INC., et al.

Defendant.

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Case No.: 3-21-cv-00854

Judge Eli J. Richardson

Magistrate Judge Jeffrey Frensley

STIPULATION TO DISMISSAL [FRCP 41(A)] AND ORDER OF DISMISSAL

IT IS HEREBY STIPULATED by and between the parties, Plaintiff Rival Transport, LLC ("Plaintiff") and Defendants Western Express, Inc. David Nickens, and Malcolm Jorin-Perez ("Defendants") through their respective attorneys of record, as follows:

WHEREAS, Plaintiff filed its Complaint in this matter on April 9, 2021;

WHEREAS, the matter was transferred to the District Court of Tennessee, Middle District on November 16, 2021;

WHEREAS, the parties settled the matter on November 26, 2021.

NOW, THEREFORE, BASED ON THE FOREGOING FACTS, THE PARTIES HEREBY STIPULATE THAT:

1. Pursuant to Rule of Civil Procedure 41(a)(1)(ii) this action shall be dismissed with prejudice as to all claims, and causes of action, and parties, with each party bearing that party's own attorney's fees and costs.

IT IS SO STIPULATED.

DATED: January 29, 2022

LOGOS PROFESSIONAL LAW CORPORATION

By:



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DATED: January 31, 2022

WESTERN EXPRESS, INC.

By:



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*Attorney for Defendants, Western Express, Inc.
David Nickens, and Malcolm Jorrin-Perez*

ORDER OF DISMISSAL

Pursuant to the stipulation of the parties under Federal Rule of Civil Procedure 41(a)(1)(ii), IT IS ORDERED THAT THIS ACTION BE, AND HEREBY IS, DISMISSED WITH PREJUDICE as to all claims, causes of action, and parties, with each party bearing that party's own attorney's fees and costs. The Clerk is directed to close the file.

Dated: _____

ELI J. RICHARDSON
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

This the 31st day of January, 2021.

I hereby certify that the foregoing document was filed with the Federal Court of the Middle District of Tennessee by using the CM/ECF system. I certify that the following parties or their counsel of record are registered as ECF Filers and that they will be served by the CM/ECF system:

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The following document has been sent via U.S. Mail to the following non-CM/ECF

users: (none)

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